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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 005463

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [MOPS](#) [ASEC](#) [TH](#)
SUBJECT: EX-CABINET SECRETARY ASSESSES PM THAKSIN'S POSITION

REF: A. BANGKOK 5423 (SURAYUD MEETING)

[1](#)B. BANGKOK 5204 (CAR BOMB)

Classified By: Ambassador Ralph L. Boyce, reason: 1.4 (d).

SUMMARY

[1](#)1. (C) Thailand has become a police state, according to former Cabinet Secretary Borwornsak Uwan, who claimed the government tapped the phones of political figures and that some key Thaksin Shinawatra loyalists remained in place out of fear. In a September 5 call on the Ambassador, Borwornsak explained that he resigned in June under pressure from a member of the Privy Council. The entire Privy Council was against Thaksin; one Privy Councilor had a tape of the Prime Minister discussing how to "neutralize" (politically) the King. Borwornsak cited possible upcoming events that could lead to further resignations of Thaksin loyalists. He raised the prospect of military intervention in politics; the Ambassador stressed the USG would respond negatively to such a move. Borwornsak was uncertain whether the recent car bomb incident was genuine, but he claimed he could imagine assassination attempts against the Prime Minister, whose family members might also be targeted. End Summary.

RESIGNING UNDER PRESSURE FROM THE PALACE

[1](#)2. (C) Former Cabinet Secretary Borwornsak Uwan called on the Ambassador on September 5. (Note: Borwornsak, a highly regarded legal scholar, made headlines when he resigned in June, citing political conditions. End Note.) He explained he had decided to resign for various reasons, including the deterioration of his public credibility as he was increasingly seen by the elite as a defender of an unpopular administration. Additionally, he cited ethical qualms with some of Thaksin's practices, such as efforts to manipulate the educational system to ensure the Prime Minister's daughter's entrance into prestigious Chulalongkorn University.

[1](#)3. (C) Borwornsak cited the Shinawatra family's tax-free sale of Shin Corp to Temasek Holdings as the last straw for him. But he said he accelerated his resignation under pressure from an unspecified member of the Privy Council (he would only say the person in question was neither Privy Council President Prem Tinsulanonda, nor the King's principal private secretary, Asa Sarasin, nor a public critic of Thaksin).

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That Privy Councilor, citing concern for Borwornsak's reputation, urged him to quit, and to do so without delay. Borwornsak related that after he resigned, he received

congratulatory messages from all Privy Councilors. The entire Privy Council was against Thaksin, he asserted, adding that Privy Councilor Surayud Chulanont had a tape recording that featured the Prime Minister talking to members of his entourage about how to "neutralize" (politically) the King, Thaksin asserting also that he exerted significant influence over Crown Prince Vajiralongkorn. (In an aside, Borwornsak also complained that Thaksin had spoken of the Crown Prince and written letters to him in a manner that appeared disrespectful of the Crown Prince's royal heritage.)

"THAILAND HAS BECOME A POLICE STATE"

14. (C) When he informed Thaksin of his decision to resign, Borwornsak noted, Thaksin did not appear surprised. Borwornsak surmised that Thaksin knew of his plans from electronic surveillance of his phone; he said that military and police sources had informed him that the phones of over 500 individuals were being monitored, with the drug suppression law and money laundering law provided to phone service providers as justification. Such efforts would be understandable if the targets were criminals, but for Thaksin to monitor political officials in this manner was excessive. "Thailand has become a police state," he said, and appeared democratic only on the surface. (Note: At the end of the meeting, Borwornsak provided the Ambassador with his new cell phone number but noted that, if contacted, he would use another phone, whose number he did not provide, to return the Ambassador's call. End note.)

15. (C) Borwornsak cited also Thaksin's heavy-handed response to militant activity in southern Thailand. When the Ambassador asked whether extra-judicial killings in southern Thailand and elsewhere reflected state policy, Borwornsak paused to consider his response carefully. Policemen carried

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out killings, he said, and the perpetrators received promotions, as if as a reward. Their higher-ups (NFI) "just close their eyes" -- there was no proof linking top officials to extra-judicial killings.

16. (C) Citing Thaksin's recent negative public comments about long-time loyalist Deputy Prime Minister Somkid Jatusripitak, Borwornsak related that numerous other Thaksin supporters were interested in resigning. Deputy Prime Minister Surakiart Sathirathai, under pressure from his wife, wanted to resign but stayed on only in order to have a shot at becoming UN Secretary General. Other cabinet members, including Somsak Thepsutin, Pinit Jarusombat, and Suranand Vejajiva, also wanted to leave the cabinet, but they feared possible reprisals from Thaksin. (Borwornsak did not clarify what sorts of reprisals he considered likely, but he implied they would be severe.)

POSSIBLE SCENARIOS FOR A TRANSITION

17. (C) More cabinet members might resign if only given some sort of justification by a dramatic event, Borwornsak observed. He cited several possible catalysts that could prompt such a move:

- Further large-scale demonstrations by the People's Alliance for Democracy;
- Incidents of political violence;
- An upcoming court ruling on a case brought by a plaintiff named Reuangdet (LNU), who sued the Taxation Department after an initial finding that he owed tax on a sale of shares; the court's verdict could undermine Thaksin's claim that the tax-free determination for the Shin Corp sale was legitimate.

18. (C) Borwornsak dismissed the possibility of political

conditions improving if Thaksin were to withdraw from government office but install a "puppet" of his as Prime Minister. (Leading candidates to stand in for Thaksin included House Speaker Bhokin Bhalakula, whom Borwornsak stated had earned Thaksin's gratitude by providing Thaksin with early notice of the 1997 devaluation of the Baht, and Agriculture Minister Sudarat Keyuraphan.) Citing reports from members of Thaksin's close entourage, Borwornsak claimed that Thaksin had sent retired General Mongkol Ampornpisit to lobby Privy Council President Prem to ease up pressure on Thaksin in the event that the Prime Minister were to withdraw from politics. However, Borwornsak noted that no one could guarantee the course of legal cases against Thaksin.

¶9. (C) Borwornsak said he could envision violence leading to political intervention by the military, which would lead to the establishment of an interim government to carry out reforms. Borwornsak said he could envision no other way out of the current crisis, and he asked how the USG would view such an interim government. The Ambassador stated clearly that the USG would oppose the military overthrow of a democratically elected government.

CAR BOMB

¶10. (C) Borwornsak professed uncertainty about the nature of the alleged August 24 car bomb incident (ref B). Regardless of the nature of that incident, though, he believed Thaksin's enemies might try to kill the Prime Minister; he told the Ambassador that since 2005 he had requested Health Ministry officials to test the food provided for cabinet meetings for poison. He stated twice that he believed that Thaksin's family members might also become targets for Thaksin's opponents.

COMMENT

¶11. (C) Borwornsak is a preeminent legal scholar, former member of the commission that produced Thailand's current Constitution, and, until recently, a top government official who played a critical liaison role with the Palace. We take seriously his concern about domestic surveillance, authoritarian tendencies, and the possibility of Thaksin carrying out reprisals against his political enemies. However, we note that there are credible scenarios -- such as that raised by Privy Councilor Surayud Chulanont (ref A), entailing a poor performance of Thaksin's party in the next

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election -- which might pave the way for Thaksin's exit with far less upheaval than the prospective military intervention that Borwornsak raised.

BOYCE